

U.S. Patent Application Serial No. 10/566,085  
Amendment filed August 7, 2009  
Reply to OA dated May 7, 2009

**AMENDMENTS TO THE CLAIMS:**

Please cancel claims 1, 2, 5, 9-14, 16, 17, 19 and 20 without prejudice or disclaimer, and amend claims 3, 4, 6-8, 15 and 18, as follows. This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claims 1-2 (Canceled).

Claim 3 (Currently amended): ~~The *Lactobacillus casei* species according to Claim 1, wherein said~~  
*Lactobacillus casei* ~~species is~~ strain FERM BP-10059 (FERM P-19443).

Claim 4 (Currently amended): A ~~living body activating~~ lactobacillus preparation having comprising:  
[[a]] the *Lactobacillus casei* species strain according to claim 1 ~~as a primary active ingredient 3;~~  
and  
a preservative.

Claim 5 (Canceled).

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Claim 6 (Currently amended): ~~[[The]]~~ A preventative or therapeutic agent against infections in humans, animals and plants ~~according to Claim 5, wherein the preventative or therapeutic agent against infections in humans, animals and plants according to Claim 5 contains comprising:~~

the *Lactobacillus casei* strain of claim 3; and  
an antibiotic.

Claim 7 (Currently amended): ~~The preventative or therapeutic agent against~~ A method for treating infections in humans ~~[[,]]~~ and animals and plants ~~according to Claim 5, which is comprising the steps of:~~  
disinfecting an area affected by periodontal disease with a bactericidal disinfectant; and  
applied applying the *Lactobacillus casei* strain of claim 3 to [[an]] the affected area in the  
~~treatment of periodontal disease after the affected area is disinfected with a bactericidal disinfectant.~~

Claim 8 (Currently amended): ~~The preventative or therapeutic agent against infections in humans, animals and plants according to method of~~ Claim 7, wherein said bactericidal disinfectant is a bactericidal disinfectant containing 500 to 1,500 ppm of ferric ions, 500 to 2,000 ppm of L-ascorbic acid and 200 to 2,000 ppm of one or two of sorbic acid, benzoic acid and paraoxybenzoic acid ester as principal components.

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Claims 9-14 (Canceled).

Claim 15 (Previously presented): The ~~preventative or therapeutic agent against~~ method for treating infections in humans [[,]] and animals ~~and plants according to Claim 5, which is comprising the steps of:~~ disinfecting an area affected by periodontal disease with a bactericidal disinfectant; and ~~applied~~ applying the agent of claim 6 to [[an]] the affected area ~~in the treatment of periodontal disease after the affected area is disinfectd with a bactericidal disinfectant.~~

Claims 16-17 (Canceled).

Claim 18 (Currently amended): The ~~preventative or therapeutic agent against infections in humans,~~ animals ~~and plants according to~~ method of Claim 15, wherein said bactericidal disinfectant is a bactericidal disinfectant containing 500 to 1,500 ppm of ferric ions, 500 to 2,000 ppm of L-ascorbic acid and 200 to 2,000 ppm of one or two of sorbic acid, benzoic acid and paraoxybenzoic acid ester as principal components.

Claims 19-20 (Canceled).